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JC408 U.S. PTO

1C549 U.S. PTO
09/199129
11/24/98

November 24, 1998

Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application
Appl. No. To be assigned; Filed: Herewith
For: **Nucleic Acid Molecules And Other Molecules Associated With Plants**
Inventors: Joseph R. Byrum and Thomas J. La Rosa
Our Ref: 38-21(15075)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO-1082 (in duplicate);
3. U.S. Utility Patent Application entitled:

Nucleic Acid Molecules And Other Molecules Associated With Plants
and naming as inventors:

Joseph R. Byrum and Thomas J. La Rosa
the application comprising:

- a. A specification containing:

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- (i) 87 pages of description prior to the claims;
- (ii) 4 pages of claims (17 claims);
- (iii) a one (1) page abstract; and
- (iv) a 2003 page sequence listing;

4. Sequence listing CD-ROM;
5. Statement Regarding Sequence Submission;
6. An Information Disclosure Statement (IDS);
7. Form PTO-1449 (3 pages) with 8 accompanying documents; and
8. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

The present application claims priority under 35 U.S.C. § 119(e) to provisional application 60/067,000, filed November 24, 1997.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

Lawrence M. Lavin, Jr.

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

Enclosures

by
D. R. Marsh
Reg. No. 41,408

• Please type a plus sign (+) inside this box → []

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 38-21(15075)B
		First Named Inventor or Application Identifier Byrum
Title	Nucleic Acid Molecules And Other Molecules Associated With Plants	
		Express Mail Label No. _____

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. <input checked="" type="checkbox"/> *Fee Transmittal Form (Form PTO-1082) <i>(Submit an original and a duplicate for fee processing)</i>	6. <input type="checkbox"/> Microfiche Computer Program (<i>Appendix</i>)
2. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i>	7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
- Descriptive title of the Invention	a. <input checked="" type="checkbox"/> Computer Readable Copy
- Cross References to Related Applications	b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)
- Statement Regarding Fed sponsored R&D	c. <input checked="" type="checkbox"/> Statement verifying identity of above copies
- Reference to Microfiche Appendix	
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings (if filed)	
- Detailed Description	
- Claims	
- Abstract of the Disclosure	
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets _____]	8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
4. Oath or Declaration [Total Pages _____]	9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>
a. <input type="checkbox"/> Newly executed (original or copy)	10. <input type="checkbox"/> English Translation Document (<i>if applicable</i>)
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <i>[Note Box 5 below]</i>	11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	12. <input type="checkbox"/> Preliminary Amendment
5. <input type="checkbox"/> Incorporation By Reference (<i>useable if Box 4b is checked</i>). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) <i>(should be specifically itemized)</i>
	14. <input type="checkbox"/> *Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
	16. <input type="checkbox"/> Other: _____

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)	of prior application No: /
Prior Application Information: Examiner: _____	Group/Art Unit: _____

18. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label <i>(Insert Customer No. or Attach bar code label here)</i>	<input checked="" type="checkbox"/> Correspondence address below			
NAME	Lawrence M. Lavin, Jr. Monsanto Company			
ADDRESS	700 Chesterfield Parkway North, BB4F			
CITY	St. Louis	STATE	Missouri	ZIP CODE
COUNTRY	US	TELEPHONE	(314) 737-6670	FAX
Name (Print/Type)	Lawrence M. Lavin, Jr.		Registration No. 30.768	
Signature	Lawrence M. Lavin, Jr.		Date	Nov 24, 1998

by (1) Carl R. Marsh 41,408

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of
Inventors: Joseph R. Byrum, *et al.*

For: Nucleic Acid Molecules And Other Molecules Associated With Plants

Also enclosed are:

- A 2003 page sequence listing;
- Sequence Listing CD-Rom
- Statement regarding sequence submission;
- An Information Disclosure Statement (IDS); and
- Form PTO-1449 (3 pages) with 8 accompanying documents

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	
FOR	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	17 -20 =	* 0
INDEP. CLAIMS	5 -3 =	* 2
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

SMALL ENTITY		OTHER THAN A SMALL ENTITY	
RATE	FEE	RATE	FEE
	\$ 380.00		\$ 760.00
x 9 =		x 18 =	
x 39 =		x 78=	156.00
+ 130 =		+ 260 =	
TOTAL		TOTAL	\$916.00

- Please charge my Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is attached.
- A check in the amount of \$ ____ to cover the basic filing fee is enclosed.
- The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is attached.
 - Any additional filing fees required under 37 CFR 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
 - Any patent application processing fees under 37 CFR 1.17
 - The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
 - Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Date Nov 24, 98

Lawrence M. Lavin Jr
Lawrence M. Lavin, Jr. (Reg. No. 30,768)

by
Jed R. Marsh
Reg. No. 41,408